

## REMARKS

Applicant has amended the application to place the same, as a whole, into *prima facie* condition for allowance at this time. Applicant submits that substantial care has been taken to avoid the introduction of any new subject matter into the application as a result of the foregoing amendments.

Claims 19 and 37 have been objected to because of a non-substantive, phraseology based informality. Applicant submits that claims 19 and 37 have been amended to correct the above-identified informality, and that such an amendment introduces no new matter and is otherwise proper. As such, Applicant respectfully submits that the Examiner's basis for objection to claims 19 and 37 should be deemed overcome, and reconsideration and withdrawal of the objection are respectfully requested.

Claims 52-69 have been rejected under 35 U.S.C. §112, first paragraph, because the addition of the less than approximately 50, 25, or 20% to the claims is not purportedly taught or described in the application as originally filed. Applicant has carefully analyzed the Examiner's rejection and respectfully traverses the same, as amended. In particular, page 31, lines 20-30, page 51, lines 11-17, and page 52, lines 5-17, of the originally filed specification, among others, collectively provides literal support for claims 52-69 of the present application. In light of the foregoing clarification, Applicant respectfully submits that the basis for rejection of the above-identified claims under 35 U.S.C. §112, first paragraph, has been overcome and reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1-51 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,248,263, respectively. Solely for the purpose of expediting prosecution of the present application, and

without, in any way, conceding to the Examiner's rejection, Applicant herewith re-submits a terminal disclaimer which disclaims the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,248,263.

In light of the foregoing, Applicant respectfully submits that the application is in *prima facie* condition for allowance at the present time. Accordingly, Applicant respectfully requests reconsideration of the present application and passage toward issuance thereof.

If any other charges or fees must be paid or credited in connection with this communication, they may be paid out of our Deposit Account No. 50-2131.

Should anything further be required a telephone call to the undersigned is respectfully solicited.

Respectfully submitted,

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Dated: 10/31/07

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